

# **Exhibit B**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION  
CIVIL ACTION NO. 3:21-cv-03302-JMC-TJH-RMG

THE SOUTH CAROLINA STATE )  
CONFERENCE OF THE NAACP, )

and )

TAIWAN SCOTT, on behalf of )  
himself and all other similarly )  
situated persons, )

Plaintiffs, )

v. )

HENRY D. MCMASTER, in his )  
official capacity as Governor )  
of South Carolina; THOMAS C. )  
ALEXANDER, in his official )  
capacity as President of the )  
Senate; LUKE A. RANKIN, in his )  
official capacity as Chairman )  
of the Senate Judiciary )  
Committee; JAMES H. LUCAS, in )  
his official capacity as Speaker )  
of the House of Representatives; )  
CHRIS MURPHY, in his official )  
capacity as Chairman of the )  
House of Representatives )  
Judiciary Committee; WALLACE )  
H. JORDAN, in his official )  
capacity as Chairman of the )  
House of Representatives )  
Elections Law Subcommittee; )  
HOWARD KNAPP, in his official )  
capacity as interim Executive )  
Director of the South Carolina )  
State Election Commission; JOHN )  
WELLS, Chair, JOANNE DAY, )  
CLIFFORD J. EDLER, LINDA MCCALL, )  
and SCOTT MOSELEY, in their )  
official capacities as members )  
of the South Carolina Election )  
Commission, )

Defendants. )

**30 (b) (6) DEPOSITION**

**OF**

**BRENDA MURPHY**

Pursuant to Rule 30 of the Federal Rules of Civil Procedure, the within 30(b)(6) deposition of **Brenda Murphy**, appearing via Zoom, was taken by Counsel for Defendants James H. Lucas, Chris Murphy, and Wallace H. Jordan, at the hour of 11:37 a.m. on Thursday, April 14, 2022, at the law offices of Nexsen Pruet, LLC, 1230 Main Street, Suite 700, Columbia, South Carolina, attended by counsel as follows:

**JAN L. WHITWORTH  
VERBATIM REPORTER**

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## **WHITWORTH COURT REPORTING**

**POST OFFICE BOX 551  
ROEBUCK, S.C. 29376  
864-494-2705**

1 Murphy?

2 A. 1939.

3 Q. Okay. And what is the official name of the State  
4 Conference? I think you've told me that before, but  
5 I just want to get that clearly.

6 A. NAACP South Carolina State Conference of Branches.

7 Q. Okay. And do you know how many branches are in your  
8 conference, President Murphy?

9 A. Approximately 77.

10 Q. Okay. And are those spread throughout the State of  
11 South Carolina?

12 A. They are.

13 Q. And this may sound like a dumb question, and it  
14 might be a dumb question. I take it you don't have  
15 any branches outside the State in your conference, -  
16 ---

17 A. No.

18 Q. --- is that right?

19 A. None.

20 Q. Okay. All right, do you have any employees?

21 A. Yes.

22 Q. Okay. And how many employees do you have?

23 A. Three, part-time.

24 Q. Okay. We are having ---

25 A. Part time.

1 Q. Okay. We're having some Zoom timing issues, but  
2 that's okay. And who are those employees, President  
3 Murphy?

4 A. I have an office manager and an assistant and one  
5 clerical person.

6 Q. Okay. So in discovery documents I have seen, I've  
7 seen Amelia Glisson, Dr. Eloise Fomby-Denson and  
8 Amber Brooks identified. Are those those three  
9 people that you just ---

10 A. They're -- they're no longer here.

11 Q. Okay. So none of those three are employed with you  
12 anymore?

13 A. No.

14 Q. Okay. What was Ms. Glisson's role?

15 A. She was the office manager.

16 Q. Okay. And who is the new office manager, if you  
17 have one?

18 A. Lorrie, Lorrie Gregory.

19 Q. Lorrie Gregory?

20 A. That's correct.

21 Q. Okay. And so who is Dr. Eloise Fomby-Denson, and I  
22 need to make sure I pronounce it correctly, who is  
23 she?

24 A. She was just a temp for a very short period of time  
25 until we could get another staff member in, which

1 was Ms. Lorrie Gregory, the office manager.

2 Q. Okay. So did anybody replace Ms. Fomby-Denson other  
3 than Ms. Gregory?

4 A. No, no.

5 Q. And who was Amber Brooks?

6 A. Amber Brooks, she worked here a brief period of time  
7 as well as the office manager, but then she was able  
8 to find a full-time job, so she left.

9 Q. Okay.

10 A. It's kind of difficult retaining employees when you  
11 can only work them part-time with no benefits.

12 Q. Yes, ma'am, I understand that. So who are the other  
13 two employees that are currently with you now as you  
14 said part-time?

15 A. Priscilla Smith.

16 Q. And what does Ms. Smith do?

17 A. Primarily the bookkeeping needs for the office,  
18 getting bills paid, getting checks out. That's it  
19 primarily. Just administrative things that relates  
20 to the billing and staying on top of things with

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21 that in terms of when assessments come in, anything  
22 -- any kind of payments come in.

23 Q. And who was the third person?

24 A. Shirley Able.

25 Q. And what does Ms. Able do?

1 A. Primarily answering the phone, filing, making calls  
2 that might need to be made.

3 Q. Okay. And so there's an email account -- so let me  
4 go back to the folks who were in your office during  
5 the time period that ran up to this litigation and  
6 during the time period that these meeting minutes  
7 that we've all discussed in previous depositions  
8 were discussed, did Ms. Glisson, Dr. Fomby-Denson  
9 and Amber Brooks each have an NAACP email address,  
10 if you know?

11 A. I'm not sure. I don't think she did. Now, Amber  
12 did; she had an email address.

13 Q. And did Ms. Glisson ---

14 A. And.

15 Q. I'm sorry.

16 A. Ms. Glisson, she was -- she worked with us, yeah,  
17 she was -- she did have an email address, yes.

18 Q. Okay. Do you know if Ms. Glisson also used her  
19 BellSouth email address for organizational purposes  
20 when she worked for you?

21 A. Not to my knowledge. I'm not sure.

22 Q. And did Dr. Fomby-Denson use her gmail email address  
23 for organizational purposes, if you know, during the  
24 time period that she was employed?

25 A. The only -- she was the secretary for the coalition.

1 Q. Yes, ma'am.

2 A. So she would have forwarded minutes out.

3 Q. Okay. So, ---

4 A. Now, ---

5 Q. I'm sorry.

6 A. Glisson forwarded the Zoom links out.

7 Q. Okay. So let me ask you this question, President  
8 Murphy: there's an email address called

9 [scofficemanager@scncaap.org](mailto:scofficemanager@scncaap.org). Do you know who has  
10 access to that account?

11 A. Lorrie Gregory.

12 Q. Okay. And I take it that during the time period  
13 that Amelia Glisson was your office manager, she had  
14 access to that account, is that right?

15 A. Her email was aglisson@scnaacp.

16 Q. Okay. Do you know who would have had access to the  
17 [scofficemanager@scnaacp.org](mailto:scofficemanager@scnaacp.org) prior to Lorrie Gregory  
18 coming on board with you? Do you know who would  
19 have? Like, did you have access to that, or did  
20 anyone else, if you know?

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21 A. I didn't. I'm not sure if Amelia had access to it  
22 or not.

23 Q. Okay. All right. Does the State Conference have an  
24 executive committee?

25 A. Have an executive list?



1 Q. An executive committee?

2 A. Yes, we do.

3 Q. Okay. All right, and what is the purpose of the  
4 executive committee?

5 A. The executive committee is responsible for overall  
6 planning for the State Conference, deciding, you  
7 know, what the priorities will be for -- that we  
8 need to address.

9 Q. Okay. And how many members does the executive  
10 committee have?

11 A. Oh, let's see, maybe 26. I think you have a listing  
12 in the packet that I received.

13 Q. Okay.

14 A. You have a listing.

15 **BY MR. MOORE:**

16 So, why don't we show them Exhibit Number 1,  
17 which is SCNAACP\_002837 Bates Number. And Michael  
18 you're going to need to blow that up for me as well  
19 as for President Murphy, I imagine.

20 **BY PRESIDENT MURPHY:**

21 Yes.

22 (WHEREUPON, HOUSE DEFENDANTS EXHIBIT 1 WAS MARKED  
23 FOR IDENTIFICATION PURPOSES, LIST OF EXECUTIVE COMMITTEE  
24 MEMBERS, ATTACHED.)

25 **EXAMINATION RESUMED BY MR. MOORE:**

Legislator driven, correct?

A. Some of it, and when you say Legislative driven, you know, I can only speak in terms of the task force and when they begin their hearings, how their hearings were conducted. Not everybody has access to Zoom, so there were some communities that didn't have opportunity to even provide input. So the process, I guess when I do a comparison, I think the process was not as well done as the Senate was.

Q. Okay. But you sued the Senate too, right, in the original complaint you sued the House, the Senate, the Governor, and the Election Commission, right?

A. Yes, but the second was modified. We're not talking about Senate today, are we?

Q. No, ma'am, I wasn't planning on it. But I'm talking right now about the initial complaint, okay, because I'm going to get to the amended complaint in a moment, okay, but with the initial complaint, did you review the complaint before it was filed, the initial complaint?

A. Yes, I did.

Q. Okay. Did the Executive Committee or Executive Committee review the initial complaint before it was filed?

A. Yes, they did.

1 Q. Okay. And did they approve the filing of the suit?

2 A. They certainly did.

3 Q. Okay. All right. So then we have, you file your  
4 initial complaint. Redistricting occurs.  
5 Legislation is passed, and then you filed an amended  
6 complaint, which challenged the House Districts but  
7 did not challenge the Senate Districts, is that  
8 right?

9 A. The House in terms of timeliness, it's more  
10 critical, because the Senate is not, you know, that  
11 election is not this year.

12 Q. I'm not asking about whether you do or don't intend  
13 to file something at some point with respect to the  
14 Senate. My point is that you filed a lawsuit in  
15 December of this year that only challenged House  
16 Districts, and then you subsequently moved to amend  
17 it to add the Congressional Districts after those  
18 were enacted, correct?

19 A. Yes.

20 Q. Okay. All right, so in the amended complaint that  
21 focused on the House Districts, there were a number  
22 of House Districts which were challenged districts;  
23 is that correct?

24 A. Yes.

25 Q. Okay. And did you review that complaint before it

1 drawings, the mapping, and sharing the maps even  
2 though, you know, they had copies, but you know,  
3 putting it on screen and screen sharing and getting  
4 feedback regarding from the presidents. Because,  
5 you know, if this -- this is a democracy. We wanted  
6 everybody involved. Not we as a State Conference  
7 could make decisions for the entire state.

8 Q. Okay. But so, you know, and I guess a map has to  
9 start somewhere, so please correct me if I'm wrong,  
10 did you -- you mentioned that you circulated these  
11 maps to your state presidents, is that right?

12 A. Yes.

13 Q. Did you circulate those maps to your state  
14 presidents through email?

15 A. I think they may have been circulated by the  
16 secretary or Ms. Glisson.

17 Q. Ms. Glisson?

18 A. Yes, sir, Amelia Glisson.

19 Q. Okay.

20 A. Her name I couldn't remember.

21 Q. And do you know why the emails from Ms. Glisson  
22 circulating these maps have not been provided to us  
23 in discovery?

24 A. As I said before, I don't know.

25 Q. Okay.

1 A. I do not know.

2 Q. Okay. But you agree with me that emails from Ms.  
3 Glisson should be emails that are under the control  
4 and custody of your organization, correct?

5 A. Yes.

6 Q. Okay. And so I take it you received -- you had to  
7 receive the initial draft map from someone; is that  
8 right, President Murphy?

9 A. Yes, and we have. Yes.

10 Q. Who did you receive the original draft maps from?

11 A. I may have -- primarily I think at least the mapping  
12 I got from ACLU, because they were, you know, they  
13 had the demographers and had people doing analytics.  
14 So that's where we -- that's who we depended upon to  
15 clarify information or questions that we may have  
16 had.

17 Q. Okay. And do you know if you received those maps on  
18 your personal email account or on your SCNAACP email  
19 account?

20 A. I don't know. I've gotten so many emails I don't  
21 even know where -- they have been at the office, I'm  
22 not sure. I know my emails from the office were  
23 sent, and my emails were sent from -- my personal  
24 emails were reviewed. So I can't say.

25 Q. So, are you telling me you that you sometimes use

1           your personal email account to conduct SCNAACP  
2           business?

3           A.    During the COVID, yes.

4           Q.    Okay. All right, and so ---

5           A.    Our office was closed, sir.

6           Q.    Yes, ma'am. So I take it that means -- I mean, my  
7           office was closed, too, but I can sort of remote in  
8           and access my office email account. You might not  
9           be able to do that, is that right?

10          A.    Yes, I learned -- I'm going to do it from now on,  
11          but I really don't appreciate my personal email  
12          being, you know -- but yes, I learned that I can do  
13          it remotely now. So, I will whenever I have to in  
14          the future.

15          Q.    I mean, I'm not the most technologically savvy  
16          person in the world either, President Murphy. But  
17          so, but luckily I have people who can help me make  
18          sure that I don't screw things up. So when did you  
19          provide your personal -- access to your personal  
20          email account to Mr. Pergament? Do you remember?

21          A.    Seems like maybe two weeks ago.

22          Q.    Okay.

23          A.    About two weeks ago.

24          Q.    Okay. Can you tell me why the emails that you  
25          received from either on your gmail account or on